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HOUSE BILL 175

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

Nora Espinoza

FOR THE ECONOMIC AND RURAL DEVELOPMENT COMMITTEE

AN ACT

RELATING TO HIGHER EDUCATION; PROHIBITING POST-SECONDARY  
EDUCATIONAL INSTITUTIONS IN NEW MEXICO FROM SELLING STUDENT  
LISTS TO FINANCIAL INSTITUTIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SALE OF STUDENT INFORMATION--MARKETING CREDIT  
CARDS TO STUDENTS--PROHIBITED PRACTICES.--

A. No public or private post-secondary educational  
institution, including its agents, its employees, its student  
or alumni organizations or its affiliates, shall:

- (1) sell, give or otherwise transfer to any  
card issuer the name, address, telephone number or other  
contact information of an undergraduate student at the post-  
secondary educational institution without the student's  
consent; or

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(2) enter into any agreement to market credit cards to undergraduate students at the post-secondary educational institution.

B. The attorney general may seek penalties and remedies against any person who violates this section.

C. For purposes of this section, "credit card" and "card issuer" have the meanings given them in the federal Truth in Lending Act.